

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ENTERED

May 03, 2018

David J. Bradley, Clerk

WILLIAM E. SULAK,
Plaintiff,

v.

NANCY A. BERRYHILL,
Defendant.

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CIVIL ACTION H-17-1069

ORDER

Pending before the court is a memorandum and recommendation (“M&R”) entered by Magistrate Judge Nancy Johnson. Dkt. 19. Plaintiff William E. Sulak filed this action for judicial review of an unfavorable decision by the Commissioner of the Social Security Administration. Dkt. 1. Sulak moved for summary judgment. Dkt. 12. Defendant Nancy A. Berryhill also moved for summary judgment. Dkt. 14. The M&R recommends denying Sulak’s motion and granting Berryhill’s motion. Dkt. 19. Neither party objected.

After reviewing the M&R, motions, response, and applicable law, the court agrees with the Magistrate Judge’s recommendation.¹ The court finds no clear error on the face of the record. Fed. R. Civ. P. 72(b), Advisory Comm. Note (1983). Accordingly, the M&R (Dkt. 19) is ADOPTED IN FULL, Sulak’s motion (Dkt. 12) is DENIED, and Berryhill’s cross-motion (Dkt. 14) is GRANTED. Accordingly, Sulak’s claims are DISMISSED WITH PREJUDICE. The court will enter a final judgment consistent with this order.

Signed at Houston, Texas on May 3, 2018.



Gray H. Miller
United States District Judge

¹Berryhill responded to Sulak’s motion. Dkt. 18. Sulak did not reply. Additionally, Sulak did not respond to Berryhill’s cross-motion.